

FILED 09 DEC 14 17:49 USDC-ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CLACKAMAS COUNTY,

07-CV-780-PK

Plaintiff,

ORDER

v.

MIDWEST EMPLOYERS CASUALTY
COMPANY,

Defendant.

BROWN, Judge.

Magistrate Judge Paul Papak issued Findings and Recommendation (#62) on October 8, 2009, in which he recommends this Court grant in part and deny in part Clackamas County's Motion for Summary Judgment (#39). The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley*

Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#62). Accordingly, the Court **GRANTS** Clackamas County's Motion for Summary Judgment (#39) as to Defendant's unclean hands affirmative defense and **DENIES** the remainder of Clackamas County's Motion.

IT IS SO ORDERED.

DATED this 14th day of December, 2009.



ANNA J. BROWN
United States District Judge